



State of New Jersey

DEPARTMENT OF HEALTH AND SENIOR SERVICES

OFFICE OF EMERGENCY MEDICAL SERVICES

PO BOX 360

TRENTON, N.J. 08625-0360

[www.state.nj.us/health](http://www.state.nj.us/health)

JAMES E. MCGREEVEY  
*Governor*

CLIFTON R. LACY, M.D.  
*Commissioner*

December 27, 2002

Mr. John Iazzetta

Re: **Notice of Proposed Probationary Status:**  
**Paramedic Certification #2357**  
Investigation Control # **02-C-020**

Dear Mr. Iazzetta:

The New Jersey Department of Health and Senior Services is vested with the responsibility of carrying out the provisions of N.J.S.A. 26:2K-7, et seq., which governs the provision of advanced life support services within the State of New Jersey. This law establishes a scheme that permits individuals, once certified as EMT-Paramedics, to perform advanced life support services under the direct supervision of a hospital-based mobile intensive care program. In furtherance of the objectives set forth in the statute, this Department has adopted regulations that govern the training and certification of EMT-Paramedics within the State of New Jersey. See, N.J.A.C. 8:41-1.1, et seq.

On February 19, 2002 staff of this Department's Office of Emergency Medical Services (OEMS) was made aware of an incident in which you acted outside the scope of practice for a certified New Jersey EMT-Paramedic (EMT-P). The facts, as I understand them, are as follows: you and your partner, EMT-P Keith McCue responded to a motor vehicle crash (MVC) in Englishtown Township as an advanced life support (ALS) unit. As you arrived at the scene of the MVC, the basic life support unit canceled the ALS unit.

While at the scene of the MVC, Englishtown Police Sgt. Cecil approached you and asked you to perform a blood sample acquisition for Blood Alcohol study for the police department. Sgt. Cecil supplied you with the proper equipment to obtain this sample. You proceeded to draw and supply the police department with a blood sample. This is a violation of N.J.A.C. 8:41-7.7 which states "No prehospital ALS provider shall perform phlebotomy for the purpose of collecting a blood specimen to determine alcohol content solely for legal purposes...draw any blood sample to be utilized for law enforcement purposes."

Furthermore, you made physical and verbal contact with this patient and did not

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complete a patient care record. This is a violation of N.J.A.C. 8:41-9.5(a) *“Every program operating a mobile intensive care unit in accordance with this chapter shall develop a medical record form to be utilized to document each instance when physical or verbal contact is made with a patient. This record shall be completed for each patient with whom the pre-hospital ALS providers make physical or verbal contact. At such time as the Department promulgates a standardized, statewide report form that form shall be used.”*

Due to these two violations, pursuant to N.J.A.C. 8:41-2.7, violation by an individual of any portion of N.J.A.C. 8:41-1.1 et seq. may be cause for action against the individual, including, but not limited to, reprimand, probation, suspension of certification or privileges, revocation of certification or privileges, fines, or any combination thereof. Therefore, in accordance with N.J.A.C. 8:41-2.7(c), it is this Department’s intent to place you on probationary status for a period of six months. The terms and conditions of this probationary status are as follows:

1. In accordance with N.J.A.C. 8:41-4.16(a), your clinical performance shall be monitored by MONOC’s Medical Director for consistency with acceptable standards of EMT-P practice. This monitoring shall include complete review of all medical records of calls in which you provide advanced life support services (i.e., 100% chart and tape reviews);
2. In accordance with N.J.A.C. 8:41-4.16(b), you shall operate only when under the supervision of an approved pre-hospital life support provider or physician. Under no circumstances may you act independently or in conjunction with another probationary provider on the same MIC U vehicle;
3. In accordance with N.J.A.C. 8:41-4.16(c), MONOC’s EMS Educator or Director shall monitor your progress and shall forward to the Department a progress report at the end of the probationary period; and
4. In accordance with N.J.A.C. 8:41-4.16(d), the Department shall have the right to restrict or otherwise limit your scope of practice. Failure to meet such conditions or any terms of the probationary period shall be deemed cause for revocation of your paramedic certification and/or other such action the Department deems appropriate.

Should you meet the above conditions and demonstrate clinical competence, the probationary status imposed herein shall be lifted at the end of the six-month period. Failure to comply with the above conditions shall be grounds for revocation of your EMT-Paramedic certification, in accordance with N.J.A.C. 8:41-4.16(d).

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Pursuant to N.J.A.C. 8:41-2.8 and N.J.A.C. 8:41-4.18(e) you are entitled to a hearing before the Office of Administrative Law to contest this proposed period of probation. Your request for a hearing on this matter must be submitted in writing and must be accompanied by a response to the charges contained herein. In the event that you request a hearing, you will not be placed on probationary status until such time as the hearing has been concluded and a final decision has been rendered.

Your request for a hearing must be submitted within 30 days from the date of this Notice, and should be forwarded to:

New Jersey Department of Health & Senior Services  
Office of Legal & Regulatory Affairs  
P. O. Box 360, Room 805  
Trenton, NJ 08625-0360  
Attn: Mrs. Carole Slimm

Please include the control number noted above (i.e., #02-C-020) on all of your correspondence. **Finally, please note that failure to submit a request for a hearing within thirty days of the letter shall result in the activation of your probationary status of 6 months from the date of this letter.** If you have any questions concerning this matter, please do not hesitate to contact Mr. Charles McSweeney or Ms. Karen Halupke of my office at (609) 633-7777.

Sincerely,

Susan Way  
Director  
Office of Emergency Medical Services

c: Mr. Vince Robbins  
President, MONOC – MIC Program  
Mr. Jeff Behm  
Director of Operations, MONOC – MIC Program  
Dr. Mark Kemmemmer, D.O.  
Medical Director, MONOC – MIC Program  
Mrs. Slimm, L&RA  
Ms. Halupke, OEMS  
Mr. McSweeney, OEMS  
Mr. Robert Clawson, OEMS